

MINORITY REPORT OF COUNCILMAN IRVINE I. TURNER  
MEMBER OF THE COUNCIL COMMITTEE TO STUDY THE ANTI-POVERTY  
PROGRAM FOR THE CITY OF NEWARK, NEW JERSEY

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Associate Member - Councilman Irvine I. Turner

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To: Hon. Ralph A. Villani, President of the Council and Members  
of the Newark City Council

I regret the necessity for filing a minority report as a member of the special committee to study the Anti-Poverty Program for the City of Newark. However, my deep concern with the problems of the City of Newark and the problems of the poor make this step necessary.

Unfortunately, I did not see a copy of the proposed report as released by Councilman Addonizio prior to its issuance. I was unable to attend the press conference convened for the purpose of releasing this report because of a prior commitment to meet with the Governor on State and Local problems.

Because of my recent illness, I was unable to attend all of the hearings and conferences relating to the investigation, and I was unable to participate in the private investigations conducted by other members of the committee. Nevertheless, I have kept abreast of the development of the Anti-Poverty Program in the city of Newark as an interested citizen and responsible elected official.

I have carefully read the report issued in the

name of the special committee and have considered the exhibit as annexed thereto. I herewith disassociate myself from the report as released, and submit herewith this minority report, upon the ground that I do not agree with many of the assumptions stated in the report, nor do I agree with the recommendations or conclusions contained in the report.

Perhaps my view can be best understood by reflecting some of the areas in which I am in disagreement with the report.

The preface of the report suggests that poverty is "... a state of mind...an abstraction...an idea..." I cannot accept this thesis. To me, poverty is a reality which is much more accurately described in the Annual Report, 1965, of the New Jersey Office of Economic Opportunity, as submitted to Governor Richard J. Hughes by John C. Bullit, the Director, in which he stated:

"Poverty in New Jersey has many faces. It is a mother with six children living in one small room with no heat or running water--and therefore no toilets; it is a man who hasn't held a job in three years; it is an eighteen year old who doesn't know how to give change for a one dollar bill; it is the young mother sitting up at night with a broom handle to keep the rats from biting her children; it is a middle-aged couple who can neither read nor write; it is a child with rickets; it is a sense of hopelessness and alienation and despair."

Representing the people of the Central Ward of Newark I know that this reflects poverty as it is in our community. These are the problems of my people.

I agree with the fundamental principles expressed in the "Economic Opportunity Act of 1964":

"The United States can achieve its full economic and social potential as a nation only if every individual has the opportunity to contribute to the full extent of his capabilities and to participate in the workings of our society. It is, therefore, the policy of the United States to eliminate the paradox of poverty...by opening to everyone the opportunity for education and training, the opportunity to work, and the opportunity to live in decency and dignity."

I agree with the basic philosophy of the United Community Corporation as reflected in the words of Dean Willard Heckel, President of the UCC, when he appeared at the first hearing of the committee and stated the belief of UCC to be:

"...the right of the poor to participate in Anti-Poverty Programs, not only as recipients of a service, but as program developers, employees, and policy makers":

I endorse the concept that the War on Poverty must be waged by a total community effort which should include the poor, the elected city officials, the heads of appropriate city departments, and community people representative of all forces in the community. It is my belief that no ally can or

should be overlooked. Indispensable to any community action program is that portion of Title II of the Economic Opportunity Act which defines a "Community Action Program" as one,

"... which is developed, conducted, and administered with the maximum feasible participation of residents of the areas and members of the groups served..."

Based upon the foregoing, I cannot agree with that portion of the report which urges that the Mayor and Council should "exercise substantial administrative and financial control over the community action agencies." That kind of a conclusion rejects the poor as participants in the development and administration of programs, is contrary to the basic philosophy of the Economic Opportunity Act and the United Community Corporation by rejecting the War on Poverty as a total community effort and substituting for it an effort to be controlled by political leaders. I believe we as political leaders have a right and a duty to share in the direction of the War on Poverty, but I reject the thesis that we alone are to control it.

The report attacks Mr. Cyril D. Tyson, the Executive Director of UCC as having "singular and exclusive control...detrimental to the best interest of the community", and whose status is conceived of as "autocratic".

Tyson is a highly skilled technician, imaginative

and creative and a man of substantial experience and training in dealing with problems of poverty. Many of the approaches he evolved in his experiences in New York City in developing the Haryou Program found their way into the concepts enunciated in the Economic Opportunity Act. Based upon his outstanding records and experience, he was selected as the best man to head the Newark program. Further evidence of his outstanding qualities as a technician and leader in the War on Poverty is reflected by his designation by the Mayor-elect of New York to participate as a volunteer with leading figures from all over the country to help New York review its approach to the War on Poverty. This in itself is a testimonial to the wisdom and judgment of the Newark community in selecting Tyson to direct our Community Action Program as part of our War on Poverty in the city of Newark

It is well known that from time to time I have been critical of specific actions taken by Tyson and the UCC. For example, I have always felt that more city officials, including my fellow councilmen, should have been members of the UCC Board. It has been a source of deep concern and even sadness to me that more Newarkers were not found to assist Tyson as top level staff members. Nevertheless, these criticisms were made in the spirit of helping not hindering

the program. I feel it is my obligation as an elected representative to keep a watchful eye on any program that affects my people. It is my deep concern for them that evokes me to react now.

It is my belief that our prime concern at the outset must be devoted to the development of programs in this tremendous battle against poverty. To achieve this objective required that we get the best man possible to lead us. I believe this has been done in securing Tyson as the Executive Director of UCC.

In the selection of staff, I am certain efforts were made to get the best person possible for each job to be done. I also recognize that as the programs develop, we will have an opportunity to examine earlier personnel decisions. I expect that there will be a review of personnel selections to maximize the all-out effort we have embarked upon in Newark to eliminate poverty. In this process, I look for increased participation of local people at all levels of the staff and in all areas of program participation.

I do not consider that Tyson is running a one-man show or that he is "autocratic". Moreover, the question is not whether Newark has good people capable of serving in the War against Poverty, but rather in the selection of the number one staff professional person, the duty was to find the best man available anywhere for the job. I believe

Tyson is the best man available for the job.

I am an honorary Vice President of UCC and one of the two councilmen originally asked to serve on the Board of Trustees as a full board member. I have received copies of the minutes of the Executive Committee of UCC and of the monthly meetings of the Board of Trustees. In addition, I have talked with men and women who are active participants in the operations of UCC. I am advised, and the minutes so reflect, that Tyson reports weekly to the Executive Committee who counsel and advise with him and assist in directing him in the performance of his duties as the Chief Executive person in the operations of UCC in carrying out the policy set by the Board. Moreover, through the devices of the Program Committee and Task Forces, the community does in fact, determine the destiny of programs. Tyson and his staff perform as technicians in assisting in the development of programs. There is no evidence that Tyson has prevented any program from being considered, nor did I see any concrete evidence submitted during this investigation that Tyson or his staff prevented a program from being considered. In addition to the foregoing committee structures, among other committees are the Personnel Committee, which has conducted frequent meetings and participated fully in all personnel matters.

Though I was unable to attend all of the hearings, I am satisfied from my reading the minutes of the Executive Committee and Board of Trustees meetings, my examination of the By-Laws of UCC, and data submitted to this special committee that there are reasonable checks and balances which establish adequate controls over the conduct of the Executive Director.

The report asserts "that the program pursued by the UCC lacks essential fiscal controls..." I find no evidence in the transcript of the hearings before the committee nor any of the documentary material submitted to the committee, to substantiate such an assertion. To the contrary, during the period in question, the comptroller of UCC has been Fleming Jones, a former employee of the City of Newark. In addition, the UCC auditors, I am informed, are Puder & Puder, recognized as one of the most outstanding reliable auditing firms in the city. I am sure that these people would not stand by idly in the face of inadequate fiscal controls, which would jeopardize the monies handled by UCC. Moreover, an accountability is required to the Federal Government, which is also in a position to make an audit where it deems it necessary.

I cannot concur that any "pork barrel" or "grab bag" has been created by UCC.

The report refers to an alleged question "concerning the propriety of former Board of Trustee members creating and taking high salary positions on the UCC programs. It is suggested that this is a technique of "logrolling, back-scratching, featherbedding". I do not agree that the evidence warrants these conclusions, nor are there any facts offered in support thereof.

Apparently, these comments were intended to refer to the Pre-School Council Program and the Blazer Youth Council Program and more specifically, the employment of Mrs. Rebecca Andrade, by the Pre-School Council and Mr. Walter Dawkins by the Blazer Youth Council in executive positions.

It should be noted that these two programs have been singled out as classic examples of Community Action Programs conceived and developed within the philosophy of the Economic Opportunity Act.

From the information reported in the press, and commonly known in the community, Mrs. Andrade played a leading role in conceiving the Pre-School Council Program as did Mr. Dawkins in developing and creating the Blazer Youth Council Program. Both of these programs present new concepts in waging the War against Poverty. It is appropriate that those

persons who participate in the planning and development of the program should not be excluded from carrying on the program when it becomes a reality, particularly where they are of the poor and so long as they are qualified to administer the program. There is not suggestion that either Mrs. Andrade or Mr. Dawkins are unqualified. Moreover, there is no evidence or indication of any impropriety in their selection to head these programs or that their participation in the planning or development had any but the highest motives.

It is contended that there are legal bars, based upon provisions of the New Jersey Constitution, which preclude the City Council from continuing to contribute the necessary 10% to enable the UCC and its programs to be funded by the Federal Government under the Equal Opportunity Act. No court decision or substantial authority is included in the report in support of such contention. None of the members of the committee are lawyers, I am advised that an extensive legal memorandum has been prepared by the Corporation Counsel of the city of Newark which disagrees with the legal contention asserted as a bar in the report. I rely upon the legal opinion of the Corporation Counsel of the city as the Chief Legal Officer in the city and reject the claimed legal bar to the council contributing the necessary 10%. I respect the opinion

of the Corporation Counsel and in reliance upon it, feel there is no legal barrier to doing what I did before, voting in favor of contributing the necessary 10% to the United Community Corporation.

The report also contends that serious financial problems may fact the city in the event it becomes necessary, after a two year period, to enter into a 50-50 contribution with the Federal Government for continuation of programs. I am no less concerned about maintaining the city's financial stability than my colleagues. However, at the moment, the contributions is 10% by the local community and 90% by the Federal Government. I feel that this ratio should be retained and pledge myself to urge upon our Congressmen and Senators that no change be made in this portion of the law which will in any way increase the obligation of the local community.

The report charges that "the UCC has taken many of the aspects of a political-action pressure group" I concur in the view expressed by Mayor Hugh Addonizio that the United Community Corporation as such should not be involved in politics. I am pleased to note that the Board of Trustees of UCC adopted a motion to require any member of the Board who becomes a candidate for public office to take a leave of absence from the Board during his candidacy. I believe that

this action was consistent with the view that United Community Corporation as such should not become a political instrumentality in the city. Moreover, from my experience on the streets I have not observed the UCC to be a political force.

I endorse the Area Board concept which was approved by the New Jersey Office of Economic Opportunity as a method of obtaining maximum feasible participation of the poor. I am pleased by the UCC's policy restraining area boards from endorsing political candidates. I have also been impressed by the praiseworthy comments from representatives of the Office of Economic Opportunity regarding the utilization of area boards as a means of involving the poor. I urge all citizens of Newark to participate in the area board activities. This is the medium through which the poor may freely express themselves. This new concept is beginning to work and is involving the poor with the all segments of the total community in the planning and development of programs as conceived by the Economic Opportunity Act.

I do not agree with that portion of the report which criticizes the community for its appearance and conduct at the first hearing of the committee on September 9. I am at a loss to fully comprehend the criticism of the community's participation, in light of the statement of Chairman Addonizio

at the conclusion of the first hearing when he stated:

"The committee at this time takes the opportunity to thank those in the audience for demonstrating their interest in this vital area and also for their good conduct. I would especially like to thank the members of the United Community Corporation that are present and have participated this evening..."

I am no less concerned than my colleagues about the tax rate of the city of Newark. I have put my beliefs and convictions into action in many ways to help protect the tax payers of our city. When the Blazer Youth Council Program was announced I endorsed the program because I believed in its principles. I moved the City Council to contribute the necessary 10% (\$37,000.) to the Blazer Program. I did this because I believed in the program and also because I believed that an expenditure of \$37,000. by the city, which would result in a saving to the city of approximately \$600,000. by reducing Welfare costs was good sound economics and would help to reduce the tax rate. I regret that this motion did not succeed before the City Council. I commend the devotion and dedication of the Blazer Youth Council, those associated with them, and the business community which contributed the in-kind share to permit the program to proceed in the City of Newark.

The population of the city of Newark is in a state of flux. Today our city is 50% non-white. As the only

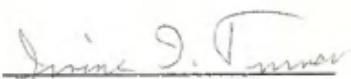
Negro elected official in the City of Newark, I wish to publicly state that without the programs developed, and being developed by the United Community Corporation and those agencies working with them I see a dim, bleak future for our city. Being black and having grown up poor, I have a special commitment to the Anti-Poverty program. I reject any attempt to defeat the needs of the people of our city because of a lack of understanding.

I reject and refuse to join in the recommendation of the report to withdraw support from the United Community Corporation because of a dispute over control of the Anti-Poverty program in our city. I support President Johnson and his administration which has breathed life into the War against Poverty as part of the development of our Great Society. I support President Johnson, the philosophy of the Equal Opportunity Act, and the UCC in urging involvement of the poor as part of a total community effort in waging the War against Poverty.

I am informed that recommendations are about to be submitted to the UCC membership to amend the By-Laws of UCC by expanding the Board of Trustees to include additional representatives of the poor from the Area Boards and at the

same time, to expand the involvement of elected city officials and heads of appropriate city departments which will insure a maximum total community involvement in the direction of the affairs of the UCC. Based upon my convictions what I've said above, and the proposed changes in the UCC By-Laws to result in total community involvement in the direction of UCC, I recommend that the City Council approve the continuance of UCC and express their confidence in the programs necessary to elimination of poverty in our city by contributing whatever funds are necessary to the functioning of UCC as the Community Action agency in the city of Newark.

Respectfully submitted,

  
IRVINE I. TURNER  
Councilman

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